

# United States Senate

WASHINGTON, DC 20510

March 12, 2013

The Honorable Gene L. Dodaro  
Comptroller General  
U.S. Government Accountability Office  
441 G Street, NW  
Washington, DC 20548

Dear Mr. Dodaro:

We write to request that the Government Accountability Office (GAO) produce a new report investigating the current federal tools and best practices promoting technology transfer to the private sector. Our goal is to make opportunities for technology transfer more readily available to private sector entrepreneurs through a streamlined and user-friendly interface that encompasses activity across the entire federal government. We believe a GAO investigation of the existing status quo in this field is a necessary step in order to enable further action, and we request that, in this effort, GAO adhere to the parameters outlined in more detail below.

In the past several years, a number of different agencies and departments have released online “portals,” tools built to allow entrepreneurs in the private sector to search and utilize patents and invention licensing opportunities which are available due to federally funded research and development. However, these different online tools, to date, only offer users a stove-piped and partial window into the field of available federally funded opportunities, with artificial bureaucratic boundaries dividing the myriad of available databases. It is clear that entrepreneurs need a streamlined, common interface across departments – a user-friendly “one stop shop” for innovators to review marketable opportunities across the entire federal government.

The Obama Administration has voiced strong support for that goal. In a October 28, 2011 Presidential Memorandum, “Accelerating Technology Transfer and Commercialization of Federal Research in Support of High-Growth Businesses,” the Administration specifically charged the Chief Information Officer (CIO) and the Chief Technology Officer (CTO) to facilitate a streamlined database, directing these officials to “list all publicly available federally owned inventions and, when available, licensing agreements on a public Government database” and to “develop strategies to increase the usefulness and accessibility of this data.”

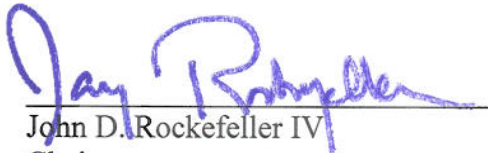
Separately, the Federal Laboratory Consortium for Technology Transfer (FLC) has released its own attempt at a search tool encompassing “available technologies” throughout the federal government. The search tool, released in August 2012, uses a custom Google search to pull relevant leads from existing federal databases.

We believe that the FLC available technologies tool could be further improved to become more functional and user friendly and that more could be done to align FLC’s efforts with those of the CIO and CTO. With those goals in mind, we ask GAO to research, write, and release a report which achieves the following objectives:

- Evaluate the FLC's available technologies tool against the guidelines in section 3b of the October 28, 2011 Presidential Memorandum, "Accelerating Technology Transfer and Commercialization of Federal Research in Support of High-Growth Businesses."
- Review progress to date of the CIO, CTO, and Office of Management and Budget (OMB) in implementing section 3b of the aforementioned memorandum and assess how these efforts by the CIO, CTO, and OMB overlap with or are exceeded by the existing FLC portal.
- Determine the availability of public technology transfer databases at federal agencies with national laboratories and to what extent the FLC's search tool incorporates the databases.
- Evaluate the extent to which the FLC's existing online tools for technology transfer are user-friendly, likely to achieve the goal of increasing the scale of technology transfer across the federal government, fully leverage the most up-to-date user experience technologies (including approaches used in other sectors) in order to achieve results, and reduce search costs for users canvassing federal patents and invention licensing opportunities.
- Examine whether FLC is the most appropriate federal vehicle for a streamlined government-wide online portal making federal patents and licensing opportunities available to the public, or whether another vehicle, such as a comprehensive offering in the .gov domain space (such as data.gov) might be more effective. This examination should include whether a partnership with the private sector could increase the effectiveness of the FLC portal, and examine innovative models that could increase the accessibility and utility of the patent information FLC is seeking to make available to entrepreneurs.
- Should GAO determine the FLC online portal as the most effective, recommend additional steps the FLC should take to improve its current technology transfer online presence, including what steps the CIO, CTO, Secretary of Commerce, and other federal government entities deemed appropriate by the GAO could take to collaborate with the FLC.
- Assess whether online portals established by FLC, OMB, or other federal entities might be expanded to include research and development, patents, and invention licensing opportunities made possible through federally funded research at universities and other academic institutions, and include an evaluation of how such an effort would interact with existing federal law, including the Bayh-Dole Act (35 U.S.C. § 200-212), and potential obstacles to such a proposed expansion due to existing provisions of federal law.

Please contact Ann Zulkosky on Senator Rockefeller's Commerce Committee staff, or Roger Low in Senator Bennet's office, to arrange a discussion with our staffs about the specific scope of work and establish a timeline for completion. Thank you for your consideration and attention to this request.

Sincerely,



John D. Rockefeller IV  
Chairman  
U.S. Senate Committee on  
Commerce, Science, & Transportation



Michael F. Bennet  
United States Senator